

84TH CONGRESS
2D SESSION

H. R. 10678

IN THE HOUSE OF REPRESENTATIVES

APRIL 19, 1956

Mr. REUSS introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To provide for the reorganization of the safety functions of the Federal Government, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 REORGANIZATION

4 SECTION 1. In order to carry out the recommendations
5 of the Commission on Organization of the Executive Branch
6 of the Government that the Department of Labor should be
7 enlarged to include all of the functions which properly belong
8 to it, and in order to provide a firmer legislative basis for the
9 carrying on of a more complete and efficient safety program
10 for the Federal Government, the functions of the Federal
11 Safety Council, established pursuant to Executive Order

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1 10194, dated December 20, 1950, are hereby transferred to
2 the Federal Safety Division of the Department of Labor
3 established pursuant to the provisions of section 2 of this
4 Act.

5
6 FEDERAL SAFETY DIVISION

7 SEC. 2. (a) There is hereby created in the Department
8 of Labor a Federal Safety Division which, in addition to
9 carrying out the functions transferred to it pursuant to section
10 1 hereof, shall be responsible for the direction and coordina-
11 tion of all safety educational programs and accident, injury,
12 and related loss-prevention procedures conducted by the Fed-
13 eral agencies in furtherance of the purposes of section 33 of
14 the Federal Employees' Compensation Act. Such agen-
15 cies shall keep such records of injuries and accidents to per-
16 sons covered by such Act, whether or not resulting in loss
17 of time or the payment or furnishing of benefits, and make
18 such statistical or other reports and upon such forms as the
19 Secretary of Labor may by regulation prescribe.

20 (b) The Federal Safety Division shall be under the
21 direction of a Director of Federal Safety (hereinafter re-
22 ferred to in this Act as the "Director"), who shall be ap-
23 pointed by the Secretary of Labor in accordance with the
24 civil-service laws and rules, and who shall receive com-
25 pensation at the rate established for grade 16 of the General
Schedule of the Classification Act of 1949, as amended.

1 (c) The Director shall, subject to the civil-service
2 laws and rules, appoint not less than ten qualified safety
3 engineers, technically experienced in the field of accident
4 prevention, regional directors where appropriate, and such
5 other employees as he deems necessary to carry out the
6 functions and duties of his office under this Act and shall
7 fix their compensation in accordance with the Classification
8 Act of 1949, as amended. In the appointment, selection,
9 classification, and promotion of officers and employees of
10 the Federal Safety Division, no political test or qualifica-
11 tions shall be permitted or given consideration, but all such
12 appointments and promotions shall be given and made on
13 the basis of qualifications, merit, and efficiency under the
14 rules of the Civil Service Commission.

15 (d) It shall be the duty of the Director—

16 (1) to collect and analyze data regarding safety
17 standards and programs presently in operation in the
18 Federal agencies;

19 (2) to develop and promulgate new minimum
20 standards for the conducting of safety educational pro-
21 grams by the Federal agencies;

22 (3) to develop and establish the minimum safe
23 working standards to be maintained by the Federal
24 agencies;

25 (4) to provide a clearinghouse function in the

1 Division which will gather and make available to the
2 Federal agencies appropriate assistance on all matters
3 relating to employee safety;

4 (5) to promote uniformity by assisting and co-
5 operating with the related health and fire prevention
6 activities presently pursued by other Federal agencies;

7 (6) to develop programs designed to reduce the
8 number of tort claims against the Federal Government
9 resulting from injuries to private persons and property
10 attributable directly or indirectly to officers and em-
11 ployees of the Federal Government;

12 (7) to inspect periodically the premises and inter-
13rogate the personnel of each of the Federal agencies to
14ascertain if the minimum standards developed and es-
15tablished pursuant to paragraphs (1) and (2) hereof
16are being maintained by such Federal agencies;

17 (8) to prepare for the issuance annually to the Con-
18gress by the Secretary of Labor, a report showing the
19progress made in the field of accident prevention in the
20Federal agencies through the reduction of the number of
21accidents and injuries among the officers and employees
22of such agencies by the elimination of work hazards and
23health risks;

24 (9) to recommend to the Secretary of Labor for
25transmittal to the Bureau of the Budget the amount

1 which should be allocated in the budget of each Federal
2 agency for its use in carrying out the safety educational
3 programs approved by the Federal Safety Division, such
4 amount to be based on the need of each such agency for
5 such a program.

6 (e) The Director of Federal Safety is hereby authorized
7 to enter and to authorize the entry of appropriate officers of
8 his Division, in order to inspect such places and such records,
9 question employees, and investigate such facts, conditions,
10 practices, or matters as he may deem necessary to carry out
11 his duties pursuant to this Act.

12 (f) (1) There is hereby established in the Department
13 of Labor a Federal Safety Advisory Committee (herein-
14 after referred to in this subsection as the "Committee") to
15 be composed of such qualified representatives of the Federal
16 agencies, and such qualified representatives from national
17 or international Federal Government employee unions and
18 the Public Health Service as shall be appointed from time
19 to time by the Secretary of Labor. The Committee shall
20 be composed of twenty-seven members of which no fewer
21 than nine members shall be appointed from national and
22 international Federal Government employee unions. The
23 length of tenure of Committee members shall be determined
24 by the Secretary of Labor. The heads of the Federal

1 agencies shall nominate the representative and alternate of
2 their respective agencies and the heads of national or inter-
3 national unions having Federal employee members shall
4 nominate the union representatives and alternates. The
5 members of the Committee shall serve as such without addi-
6 tional compensation.

7 (2) It shall be the duty of the Committee to advise
8 the Director of the Federal Safety Division with respect to--

9 (A) the development and coordination of effective
10 safety educational programs and minimum safety stand-
11 ards in the Federal agencies, and

12 (B) the carrying out of his duties pursuant to the
13 authority contained in this Act.

14 (3) The Secretary of Labor is authorized to establish,
15 in those geographical areas which are supervised by regional
16 directors, Federal field safety advisory committees which
17 shall give assistance to the field establishment of the Federal
18 agencies in organizing accident prevention programs and
19 strengthening existing programs aimed at reducing the fre-
20 quency, severity, and cost of accidents in their respective
21 areas of operation. Such committees shall implement in the
22 field, the policies established by the Federal Safety Division
23 of the Department of Labor.

24 (g) The Bureau of Employees' Compensation of the
25 Department of Labor shall, prior to August 15 of each year,

1 furnish the Secretary of Labor for use in the preparation
2 of the Department's annual budget estimates, the latest sta-
3 tistics showing the pure premium cost for past work injuries
4 sustained by employees of the several Federal agencies and
5 its bureaus, based upon the frequency, severity, and direct
6 incurred loss experience of each agency and its bureaus under
7 the Federal Employees' Compensation Act. The Depart-
8 ment of Labor shall include in its annual budget estimates a
9 request for an appropriation in an amount equal to such
10 premium cost and shall, as soon as practicable after the be-
11 ginning of each fiscal year, deposit in the Federal Em-
12 ployees' Compensation Fund of the Bureau of Employees'
13 Compensation such sums as may have been appropriated,
14 pursuant to such request, for the payment of benefits from
15 such fund on account of the employees of the Federal
16 agencies. Any sums so deposited shall remain available in
17 such fund until expended.

18 (h) As used in this Act (1) the term "Federal agen-
19 cies" includes (A) the executive departments, (B) the
20 Department of the Army, Navy, and the Air Force, and
21 (C) the independent establishments and agencies in the
22 executive branch, including Government corporations and
23 instrumentalities of the United States wholly owned by the
24 United States: *Provided*, That the Commissioners of the
25 District of Columbia may elect to participate in this pro-

1 gram to the extent and degree that they deem feasible the
2 participation herein of the municipal government of the
3 District of Columbia; and (2) the term "incurred loss"
4 means the amount of loss, paid and outstanding, for which
5 the Federal Employees' Compensation Fund of the Bureau
6 of Employees' Compensation has become liable during the
7 preceding fiscal year.

8 (i) The Director of the Bureau of the Budget is au-
9 thorized to establish the amount of funds to be allocated
10 in the annual budget of each Federal agency for the purpose
11 of carrying out its safety educational programs and the min-
12 imizing of hazardous work practices and conditions. Such
13 amount shall not be less than the equivalent of $2\frac{1}{2}$ per centum
14 of the total amount requested by any such agency in its
15 annual operating budget.

16 AMENDMENT TO SECTION 24 OF THE FEDERAL EMPLOYEES'
17
18 COMPENSATION ACT

19 SEC. 3. Section 24 of the Federal Employees' Compens-
20 sation Act, as amended, is amended (1) by inserting "(a)"
21 immediately preceding the first sentence thereof, and (2) by
22 adding at the end thereof the following new subsection:

23 "(b) Whoever, being an officer or employee of the
24 United States knowingly and willfully falsifies, conceals, or
25 covers up by any trick, scheme, or device, a material fact
in relation to the injury or death of a person compensable

1 under the provisions of this Act or any extension or appli-
2 cation thereof, or makes any false, fictitious, or fraudulent
3 statement or representation, or makes or uses any false
4 writing or document knowing the same to contain any false,
5 fictitious, or fraudulent statement or entry, in relation to such
6 an injury or death, or induces or compels any persons to
7 forego the filing of any claim for compensation or other bene-
8 fits provided under this Act or any extension or application
9 thereof, or retains any notice, report, claim or paper which
10 is required to be filed under this Act, or any extension or
11 application thereof, or regulations promulgated thereunder,
12 shall be fined not more than \$5,000 or imprisoned not more
13 than two years, or both."

14 REPEALER

15 SEC. 4. Section 33 (c) of the Federal Employees' Com-
16 pensation Act is hereby repealed.

17 APPROPRIATION AUTHORIZED

18 SEC. 5. There are hereby authorized to be appropriated
19 such sums as may be necessary to carry out the provisions of
20 this Act.

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